

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
MURVILLE LAMPKIN,
Defendant.

Case No. 3:15-cr-00005-SLG

ORDER ON 28 U.S.C. § 2241 MOTION

Before the Court at Docket 1150 is Defendant Murville Lampkin's 28 U.S.C. § 2241 Motion to Correct Sentence and Apply FSA Credits Earned.¹ The Government did not respond.

On July 16, 2018, this Court sentenced Mr. Lampkin to 240 months' imprisonment after a jury found him guilty of drug and money laundering charges.² On September 23, 2024, Mr. Lampkin was released from FCI Lompoc and transported to Alaska to begin home confinement.³ Mr. Lampkin's sentence is scheduled to end on December 19, 2025.⁴ In his § 2241 motion, Mr. Lampkin indicates that he has 165 days of credit earned pursuant to the First Step Act

¹ See Docket 1151 (Suppl. Character Letter).

² Docket 825 at 1-2.

³ Docket 1141 at 1.

⁴ Fed. Bureau of Prisons, Inmate Locator (available at www.bop.gov/inmateloc/) (last accessed August 19, 2025).

("FSA"), Pub. L. No. 115-391, 132 Stat. 5194 (2018), that the Bureau of Prisons ("BOP") has not applied to his time in prelease custody.⁵

18 U.S.C. § 3632(d)(4)(C), titled "Application of time credits toward prerelease custody or supervised release" provides that

Time credits earned under this paragraph by prisoners who successfully participate in recidivism reduction programs or productive activities shall be applied toward time in prerelease custody or supervised release. The Director of the Bureau of Prisons shall transfer eligible prisoners, as determined under section 3624(g), into prerelease custody or supervised release.

In *Gonzalez v. Herrera*, the Ninth Circuit interpreted that provision and explained that "[t]he second sentence specifically directs the BOP to transfer prisoners into prerelease custody (or supervised release) when they become eligible. Doing so spends earned time credits. Then, when the prisoner has only a year of custody remaining, the BOP shall transfer the prisoner into supervised release, again spending earned time credits to end prerelease custody early."⁶ And, any "[l]eftover earned time credits may then be applied to reduce [a prisoner's] supervised release term."⁷

⁵ Docket 1150 at 1.

⁶ *Gonzalez v. Herrera*, __ F.4th __, Case No. 24-2371, 2025 WL 2396495, at *9 (9th Cir. Aug. 19, 2025).

⁷ *Id.* See *id.* at *11 (reversing and remanding dismissal of Gonzalez's § 2241 petition with instructions to grant the petition in part, direct the Government to recalculate Gonzalez's earned time credits, and provide the recalculation to Gonzalez's probation officer.).

In Mr. Lampkin's case, BOP has already applied his FSA credits to transfer him to prerelease custody, as he is currently on home confinement.⁸ Pursuant to § 3632(d)(4)(C) and *Gonzalez*, BOP should apply any remaining FSA credits to Mr. Lampkin's prerelease custody, as he has less than a year remaining on his sentence.

Accordingly, Mr. Lampkin's 28 U.S.C. § 2241 Motion to Correct Sentence and Apply FSA Credits Earned at Docket 1150 is GRANTED as follows: The Court orders the Government to apply any unallocated FSA credits to Mr. Lampkin's time remaining on prerelease custody **within 14 days of the date of this order**. After applying any unallocated FSA credits, the Government shall recalculate Mr. Lampkin's earned time and file the recalculation with the Court and provide the recalculation to Mr. Lampkin's prerelease custody supervisor and probation officer.

DATED this 19th day of August, 2025, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

⁸ 18 U.S.C. § 3624(g)(2)(A) (identifying home confinement as a type of prerelease custody).